

REMARKS/ARGUMENTS

This Amendment is being filed in response to the final Official Action of November 19, 2010, and concurrent with a fourth Request for Continued Examination (RCE). The final Official Action continues to reject Claims 1-4, 6-12, 14-20 and 22-24 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,454,206 to Phillips et al.; and reject the remaining claims, namely Claims 5, 13 and 21, under 35 U.S.C. § 103(a) as being unpatentable over Phillips, in view of U.S. Patent No. 5,961,593 to Gabber et al. As explained below, however, Applicants respectfully submit that the claimed invention is patentably distinct from Phillips and Gabber, taken individually or in any proper combination. Nonetheless, Applicants have amended various ones of the claims to further clarify the claimed invention, and added new Claim 25 to recite a further patentable feature. In view of the amendments to the claims and the remarks presented herein, Applicants respectfully request reconsideration and allowance of all of the pending claims of the present application.

A. Claims 1-4, 6-12, 14-20 and 22-24 are Patentable

The final Official Action rejects Claims 1-4, 6-12, 14-20 and 22-24 as being anticipated by Phillips. According to one aspect of the present invention, as reflected by amended independent Claim 1, an apparatus is provided and includes a processor and a memory including computer program code, where the memory and the computer program code are configured to, with the processor, cause the apparatus to at least perform a number of operations. As recited, the apparatus is caused to receive, from an application on the wireless terminal, a request for an identity of a user, automatically select one of a plurality of identities selectable for use by the respective application, and cause the selected identity to be provided to the application. As also recited, the respective identity is selected based upon the application and at least one user preference, and independent of user input to the application.

In contrast to amended independent Claim 1, Phillips does not teach or suggest an apparatus caused to automatically select one of a plurality of identities based upon the application and at least one user preference. Initially, Applicants note that amended independent Claim 1 recites that the automatic selection of an identity is based not only on the application

requesting the identity, but also on at least one user preference. The Official Action cites a number of passages of Phillips purportedly disclosing selection of a user identity based upon an application.

For selection of a user identity based upon at least one user preference, the Official Action cites column 6, lines 44-46 of Phillips. In the cited passage (also including column 6, lines 41-44), Phillips discloses a feature whereby a user is unaware of or does not have access to different user identifiers, and accordingly, the user's wireless communication device may use the different identifiers in different communication sessions without the user's knowledge. Even given the aforementioned passage, Applicants respectfully submit that nowhere does Phillips disclose the wireless device selecting any user identifier based upon any user preference. In fact, Applicants question the extent to which an instance in which the user is unaware of (or does not have access to) different user identifiers, as in the cited passage of Phillips, may nevertheless include selection of a user identifier based upon a user preference, similar to amended independent Claim 1.

Applicants therefore respectfully submit that amended independent Claim 1, and by dependency Claims 2-8 and 25, is patentably distinct from Phillips. Applicants also respectfully submit that amended independent Claims 9 and 17 recite subject matter similar to that of independent Claim 1, including the aforementioned selection of one of a plurality of identities based upon a requesting application and at least one user preference. As such, Applicants respectfully submit that amended independent Claims 9 and 17, and by dependency Claims 10-16 and 18-24, are also patentably distinct from Phillips, for at least the reasons given above with respect to amended independent Claim 1.

For at least the foregoing reasons, Applicants respectfully submit that the rejection of Claims 1-4, 6-12, 14-20 and 22-24 as being anticipated by Phillips is overcome.

B. Claims 5, 13 and 21 are Patentable

The Official Action rejects Claims 5, 13 and 21 as being unpatentable over Phillips, in view of Gabber. As explained above, independent Claims 1, 9 and 17, and by dependency Claims 2-8, 10-16 and 18-24, are patentably distinct from Phillips. Applicants respectfully

submit that Gabber does not cure the deficiencies of Phillips. That is, even considering Gabber, neither Phillips nor Gabber, taken individually or in any proper combination, teaches or suggests the aforementioned selection of one of a plurality of identities based upon a requesting application and at least one user preference, as per independent Claims 1, 9 and 17. And there is no apparent reason to modify Phillips to include the aforementioned feature of Gabber in an effort to teach the claimed invention. Thus, for at least the reasons given above with respect to amended independent Claims 1, 9 and 17, Claims 5, 13 and 21 are also patentably distinct from Phillips, in view of Gabber.

In view of at least the foregoing, Applicants respectfully submit that the rejection of Claims 5, 13 and 21 as being unpatentable over Phillips, in view of Gabber is overcome.

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CONCLUSION

In view of the amendments to the claims and the remarks presented herein, Applicants respectfully submit that the present application is in condition for allowance. As such, the issuance of a Notice of Allowance is therefore respectfully requested. In order to expedite the examination of the present application, the Examiner is encouraged to contact Applicants' undersigned attorney in order to resolve any remaining issues.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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